

Serial No.: 09/518,041
Art Unit: 2623**REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed on April 4, 2006. Through this response, claims 1, 2, and 68 have been amended. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Objections

According to page 2 of the Office Action, claim 2 is objected to because the "phrase 'said first channels shown' lacks antecedent basis." Applicants have amended claim 2 to replace "said" with "a," and thus respectfully request that the objection be withdrawn.

II. Claim Rejections - 35 U.S.C. § 103(a)**A. Statement of the Rejection**

Claims 1-10, 14-18, 68-72, 76-78 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Tomita et al.* ("Tomita," U.S. Pub. No. 2001/0013127) in view of *Lemmons et al.* ("Lemmons," U.S. Pat. No. 6,266,814). Claims 79-81 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Tomita* in view of *Florin et al.* ("Florin," U.S. Pat. No. 5,621,456). Applicants respectfully traverse these rejections.

B. Discussion of the Rejection

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office ("USPTO") has the burden under section 103 to establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed

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invention. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure.

In the present case, it is respectfully submitted that a *prima facie* case for obviousness has not been established.

Independent Claim 1

Claim 1 recites (with emphasis added):

1. A television set-top terminal (STT) system for enabling a user to navigate to an individual television service, said STT system coupled to a programmable television services server device, said STT system comprising:
 - memory for storing data;
 - an interactive program guide contained in said memory for displaying program information received by said STT system from said server device, said program information corresponding to a plurality of current and future programs;
 - a plurality of guide arrangements corresponding to respective display-orderings of the program information, each guide arrangement ordering displayed program information based on at least one program parameter, the ordering of the program information in each of the guide arrangements being different, wherein the ordering of program information in a selected initial guide arrangement is according to the respective start time of corresponding programs, the respective theme of corresponding programs, or the title of corresponding programs;
 - a processor configured to display simultaneously in each of the guide arrangements the corresponding ordered program information and options corresponding to ordering based on the respective start time of corresponding programs, the respective theme of corresponding programs, or the title of corresponding programs;*

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configuration information contained in said memory, said configuration information comprising:

a plurality of respective initial guide arrangements corresponding to the plurality of guide arrangements;

a first selection indication that denotes one of said plurality of initial guide arrangements corresponding to respective display-orderings of the program information as the selected initial guide arrangement, the selected initial guide arrangement being a default each time the interactive program guide is activated; and

an initial respective portion of the corresponding ordered program information in said selected initial guide arrangement having the options being configured according to a user selection; and

a remote control having a single key for initiating a display session of said interactive program guide and said configuration information;

wherein the processor is further configured to cause said STT system to initially display said program information according to said selected initial guide arrangement and said initial respective portion of the corresponding ordered program information, said processor responsive to a first user input received from pressing the single key of the remote control corresponding to initiating the display session of said interactive program guide and said configuration information, *said processor further configured to cause said STT system to display said program information in a different order responsive to user selection of one of the options presented in said initially displayed interactive program guide.*

Applicants have amended claim 1, and thus believe the rejection to be rendered moot.

Additionally, Applicants respectfully submit that *Tomita* in view of *Lemmons* fails to disclose, teach, or suggest at least the above emphasized claim features. Accordingly, Applicants respectfully request that the rejection to independent claim 1 be withdrawn.

Because independent claim 1 is allowable over *Tomita* in view of *Lemmons*, dependent claims 2-10, 14-18, and 79-80 are allowable as a matter of law for at least the reason that the dependent claims 2-10, 14-18, and 79-80 contain all elements of their respective base claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

Serial No.: 09/518,041
Art Unit: 2623**Independent Claim 68**

Claim 68 recites (with emphasis added):

68. A television set-top terminal (STT) for enabling a user to navigate to an individual television service, said STT coupled to a programmable television services server device, said STT comprising:

memory for storing data;

an interactive program guide contained in said memory for displaying program information received by said STT from said server device, said program information corresponding to a plurality of current and future programs;

a plurality of guide arrangements corresponding to respective display-orderings of the program information, each guide arrangement ordering displayed program information based on at least one program parameter, the ordering of the program information in each guide arrangement being different than the other guide arrangements, wherein the ordering of program information in the selected initial guide arrangement is according to the respective start time of corresponding programs, the respective theme of corresponding programs, or the title of corresponding programs;

configuration information contained in said memory, said configuration information comprising a plurality of respective initial guide arrangements corresponding to the plurality of guide arrangements; and

a processor configured to cause said STT to initially provide a user option to select one of said plurality of initial guide arrangements, said processor responsive to a first user input received from pressing a single key on a remote control corresponding to initiating a display session of said interactive program guide, *said processor being further configured to receive a second input corresponding to user selection of one of said plurality of initial guide arrangements presented in the initiated display session of said interactive program guide, said user-selected initial guide arrangement enabling user navigation in said interactive program guide, the user-selected initial guide arrangement being a default initial view each time the interactive program guide is activated.*

Applicants have amended claim 68, and thus believe the rejection to be rendered moot.

Additionally, Applicants respectfully submit that *Tomita* in view of *Lemmons* fails to disclose, teach, or suggest at least the above emphasized claim features. Accordingly, Applicants respectfully request that the rejection to independent claim 68 be withdrawn.

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Because independent claim 68 is allowable over *Tomita* in view of *Lemmons*, dependent claims 69-72, 76-78, and 81 are allowable as a matter of law.

Claims 79-81

Applicants have amended claims 1 and 68, and thus believe the rejection to dependent claims 79-81, which incorporate respective features of claims 1 and 68, to be moot. Additionally, as explained above, Applicants respectfully submit that *Lemmons* fails to disclose, teach, or suggest at least the above-emphasized features of independent claims 1 and 68. Applicants also respectfully submit that *Florin* fails to remedy these deficiencies. Accordingly, Applicants respectfully request that the rejection to claims 79-81 be withdrawn.

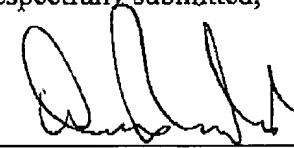
In summary, it is Applicants' position that a *prima facie* for obviousness has not been made against Applicants' claims. Therefore, it is respectfully submitted that each of these claims is patentable over the art of record and that the rejection of these claims should be withdrawn.

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Art Unit: 2623**CONCLUSION**

Applicants respectfully submit that Applicants' pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, and similarly interpreted statements, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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